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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/527,957	03/15/2005	Philippe Chambelin	PF020117	7059
24498 7590 11/09/2007 THOMSON LICENSING LLC Two Independence Way Suite 200 PRINCETON, NJ 08540			EXAMINER LAM, KENNETH T	
			ART UNIT 2611	PAPER NUMBER
			MAIL DATE 11/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/527,957

**Applicant(s)**

CHAMBELIN ET AL.

**Examiner**

Kenneth Lam

**Art Unit**

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03/15/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/15/2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/15/2005</u>  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Objections*

1. Claims 1 and 2 are objected to because of the following informalities: there are no transitional phrases, for example, "comprising", "consisting essentially of" and "consisting of" in the claims. The transition phases "comprising", "consisting essentially of" and "consisting of" define the scope of claim with respect to what unrecited additional components or steps, if any, are excluded from the scope of the claims.

For prior art rejection, examiner construes the claim as a radio wave emission block comprising:

a first input/output terminal which receives electrical signals and power supply from a first coaxial cable;

a second input/output terminal electrically linked to the first input/output terminal by way of a band rejection filter which rejects the intermediate emission frequency band;

wherein the said electrical signals being situated in an intermediate emission frequency band, the said block transposes the said electrical signals into an emission frequency band then amplifies them and transforms them into a wave to be emitted, and the second terminal being intended to receive a second coaxial cable.

The same objection applies to Claim 2, since Claim 2 depends on Claim 1.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in **Graham v. John Deere Co., 383 U.S. 1, 148 USPQ 459 (1966)**, that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows: (*See MPEP Ch. 2141*)

- a. Determining the scope and contents of the prior art;
  - b. Ascertaining the differences between the prior art and the claims in issue;
  - c. Resolving the level of ordinary skill in the pertinent art; and
  - d. Evaluating evidence of secondary considerations for indicating obviousness or nonobviousness.
2. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jackson et al. (Jackson herein after) (US 6,366,620 B1) (IDS) in view of Knutson et al. (Knutson herein after) (US 2003/0163822 A1).

Re Claim 1, Jackson discloses a radio wave emission block comprising:

a first input/output terminal which receives electrical signals and power supply (IFL 13 connects to indoor unit with DC Power and carrier signal, Figure 4, column 3 line 66- column 4 line 4);

a second input/output terminal electrically linked to the first input/output terminal (LNB 228 output to the MUX 222, Figure 4);

wherein the said electrical signals being situated in an intermediate emission frequency band (950 to 1450 MHz, Figure 4), the said block transposes the said electrical signals into an emission frequency band then amplifies them and transforms them into a wave to be emitted (main transmit module **224**, Figure 4, column 6 line 63 – column 7 line 9).

Jackson discloses the claimed invention except for a second input/output terminal electrically linked to the first input/output terminal by way of a band rejection filter which rejects the intermediate emission frequency band, and the coaxial cable instead of interfacility link. Knutson teaches a band pass filter linked between the receiver side and the transmitter side (BPF **100**, Figure 3, [0046]). It also shows that it is common to utilize coaxial cable for subcomponent interconnection in satellite transceiver system ([0033]). Therefore, because there two interconnection methods were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute coaxial cable as taught by Knutson for IFL as taught by Jackson to further improve the signal quality and make the interconnection easier to adopt.

Re Claim 2, Jackson teaches a transmission device comprising: a reception block which transposes waves received into electrical signals situated in an intermediate reception frequency band (LNB **228**, Figure 4), the reception block having an input/output terminal for receiving a coaxial cable so as to transmit the electrical signals to an inside unit and to receive its power supply (IFL **13**, DC to LNB, Figure 4),

Art Unit: 2611

wherein it furthermore comprises: an emission block (main transmit module **224**, Figure 4, column 6 line 63 – column 7 line 9) according to claim 1, the first input/output terminal of the emission block being connected to the first cable (IFL **13**, Figure 4), a second cable connected on the one hand to the second input/output terminal of the emission block (Output from main transmit module **224** to MUX **222** and output MUX **222** to duplexer **223**, Figure 4) and on the other hand to the input/output terminal of the reception block (DC to LNB and the adjacent, MUX **222**, Figure 4).

Jackson discloses the claimed invention except for the coaxial cable instead of interfacility link. Knutson shows that it is common to utilize coaxial cable for subcomponent interconnection in satellite transceiver system ([0033]). Therefore, because there two interconnection methods were art-recognized equivalents at the time the invention was made, one of ordinary skill in the art would have found it obvious to substitute coaxial cable as taught by Knutson for IFL as taught by Jackson to further improve the signal quality and make the interconnection easier to adopt.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ammar et al., US 7,050,765 B2  
Highly Integrated Microwave Outdoor UNNIT (ODU)
- Buer et al., US 7,035,617 B2  
High Power Block Upconverter

- Chen, US 7,177,606 B2

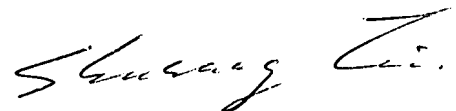
Control System for Controlling an Output Signal Power Level of a Wireless Transmitter

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Lam whose telephone number is (571) 270-1862. The examiner can normally be reached on Mon - Thu 7:30 am - 5:00 pm EST  
ALT Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Shuwang Liu can be reached on (571) 272-3036. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KENNETH LAM/  
11/06/2007



SHUWANG LIU  
SUPERVISORY PATENT EXAMINER